

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In re POLYURETHANE FOAM ANTITRUST
LITIGATION

)
)
)
) MDL Docket No. 2196
) Index No. 10-MD-2196 (JZ)
)
)

This document relates to:

)
)
) DIRECT PURCHASER (CLASS) ACTION and
) INDIRECT PURCHASER CLASS ACTION
)
)

**STIPULATION AND [PROPOSED] ORDER SETTING PAGE LIMITS FOR CLASS
CERTIFICATION BRIEFING**

WHEREAS, pursuant to the Second Amended Scheduling Order (Dkt. 417) (“Scheduling Order”), Direct Purchaser (Class) Plaintiffs and Indirect Purchaser Plaintiffs must file their respective motions for class certification, as well as any supporting documents, by June 4, 2013; Defendants must file any oppositions to Plaintiffs’ class certification motions, as well as any supporting documents, by August 22, 2013; and Plaintiffs must file any replies, as well as any supporting documents, by October 16, 2013.

WHEREAS, the parties expect that the class certification briefs will deal with complex legal and factual issues that cannot be adequately addressed in the default page limits set by the Local Rules of the United States District Court for the Northern District of Ohio;

WHEREAS, with this understanding in mind, the parties have met and conferred regarding page limits for class certification briefing;

IT IS HEREBY STIPULATED AND AGREED:

1. Direct Purchaser (Class) Plaintiffs shall have a total of ninety (90) pages to allocate between their opening memoranda of law in support of their motion for class certification and their reply memorandum of law. Defendants shall collectively have a combined

total of ninety (90) pages for all memoranda of law that may be filed in opposition to Direct Purchaser (Class) Plaintiffs' motion for class certification.

2. Indirect Purchaser Plaintiffs shall have a total of ninety (90) pages to allocate between their opening memoranda of law in support of their motion for class certification and their reply memorandum of law. Defendants shall collectively have a combined total of ninety (90) pages for all memoranda of law that may be filed in opposition to Indirect Purchaser Plaintiffs' motion for class certification.

3. In accordance with Local Civil Rule 7.1, indices, tables of contents, and tables of authorities shall not count towards any of the above page limits.

DATED: May 31, 2013

/s/ William A. Isaacson
William A. Isaacson
BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue, NW
Washington, DC 20015
Phone: (202) 237-5607
Fax: (202) 237-6131

/s/ Stephen R. Neuwirth
Stephen R. Neuwirth
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Phone: (212) 849-7165
Fax: (212) 849-7100

Interim Co-Lead Counsel for Direct Purchaser (Class) Plaintiffs

/s/ Marvin A. Miller
Marvin A. Miller
MILLER LAW LLC
115 South LaSalle Street, Suite 2910
Chicago, IL 60603
Phone: 312-332-3400
Fax: 312-676-2676

Interim Lead Counsel for Indirect Purchaser Class Plaintiffs

/s/ James H. Walsh
James H. Walsh
Howard Feller
Bethany G. Lukitsch
MCGUIREWOODS LLP
901 East Cary Street
Richmond, VA 23219
Phone: (804) 775-1000
Fax: (804) 698-2200

Counsel for Carpenter Co.

/s/ Francis P. Newell
Francis P. Newell
Peter M. Ryan
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
Phone: (215) 665-2118
Fax: 215-665-2013

Counsel for Foamex Innovations, Inc.

/s/ Frank A. Hirsch, Jr.
Frank A. Hirsch, Jr.
Matthew P. McGuire
ALSTON & BIRD LLP
4721 Emperor Blvd.
Suite 400
Durham, NC 27703
Phone: (919) 862-2200
Fax: (919) 852-2260

***Counsel for Hickory Springs
Manufacturing Company***

/s/ Kendall Millard
Kendall Millard
BARNES & THORNBURG LLP
11 South Meridian Street
Indianapolis, IN 46204
Phone: (317) 231-7461
Fax: (317) 231-7433

Michael D. Mustard
BARNES & THORNBURG LLP
600 One Summit Square
Fort Wayne, IN 46802-3119
Phone: (260) 423-9440
Fax: (260) 424-8316

Counsel for Flexible Foam Products, Inc.

/s/ Edward G. Warin
Edward G. Warin
John P. Passarelli
KUTAK ROCK LLP
1650 Farnam Street
Omaha, NE 68102
Phone: (402) 346-6000
Fax: (402) 346-1148

Counsel for Future Foam, Inc.

/s/ Daniel R. Warncke
Daniel R. Warncke
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202
Phone: (513) 381-2838
Fax: (513) 381-0205

Joe Rebein
SHOOK, HARDY & BACON LLP
2555 Grand Blvd.
Kansas City, MO 64108
Phone: (816) 559-2227
Fax: (816) 421-5547

Counsel for Leggett & Platt, Inc.

/s/ Randall L. Allen
Randall L. Allen
Teresa T. Bonder
Allison S. Thompson
ALSTON & BIRD LLP
One Atlantic Center
1201 W. Peachtree St.
Atlanta, GA 30309
Phone: (404) 881-7000
Fax: (404) 881-7777

Counsel for Mohawk Industries, Inc.

/s/ Daniel G. Swanson
Daniel G. Swanson
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Phone: (213) 229-6690
Fax: (213) 229-6919

Cynthia Richman
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
Phone: (202) 530-8500
Fax: (202) 530-9651

*Counsel for Woodbridge Foam
Corporation, Woodbridge Sales &
Engineering, Inc., and Woodbridge Foam
Fabricating, Inc.*

SO ORDERED:

DATED: _____

HON. JACK ZOUHARY
UNITED STATES DISTRICT JUDGE